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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Jun HIRANO, et al. Exr.: P. Tran
Appln No.: 10/534,274 Art Unit: 2618
Filed: May 9, 2005 Conf. No.: 9812
For: RADIO COMMUNICATION SYSTEM AND RADIO
COMMUNICATION METHOD

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner of Patents
Washington, DC 20231

Sir:

In response to the Restriction Requirement of June 15, 2007, Applicants hereby elect Group I, claims 65-66, drawn to a communication system having a transmitting part radio communication apparatus, wherein the transmitting part radio communication apparatus determines the insertion interval of the known reference signal and transmits the data when receiving reception preparation completion information that is a response to the transmission request information from the receiving part radio communication apparatus, with traverse.

Applicants respectfully request withdrawal of the Restriction Requirement. No unduly extensive or burdensome search would be required to examine the various claims of the noted Groups in the same application. MPEP §803 states:

"If the search and examination of all the claims in an application can be made without serious burden, the Examiner *must* examine them on the merits, even though they include claims to distinct or independent inventions." (Emphasis added)

In the present case, the search for all pending claims together would not be burdensome.

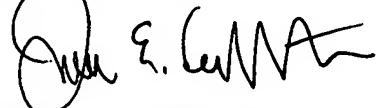
Moreover, from the standpoint of costs to the Applicants involved in filing, issuance and maintenance fees relating to separate applications if the present Restriction Requirement is maintained, it is clear that there is substantially more burden on Applicants by imposing the present Requirement than on the Patent Office if the Requirement were withdrawn.

In addition, it is noted that to require the claims of the various Groups to issue in separate patents would result in inconvenience to the public by necessitating reference to more than one patent during searching, to review closely related subject matter.

Therefore, withdrawal of the Restriction Requirement is warranted.

Reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Respectfully submitted,



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Date: July 11, 2007

JEL/jpf

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